

1 XAVIER BECERRA
Attorney General of California
2 KYLE A. LEWIS
Acting Supervising Deputy Attorney General
3 IAN MICHAEL ELLIS
Deputy Attorney General
4 State Bar No. 280254
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1179
6 Fax: (415) 703-5843
E-mail: Ian.Ellis@doj.ca.gov
7 *Attorneys for Defendants S. Cupp, J. Cuske,*
D. Melton, K. Ohland, J. Vangilder, and J. Vasquez

8
9 TIMOTHY LEWIS MOORE, State Bar No. 305168
Reed Smith, LLP
101 2nd Street, STE 1800
10 San Francisco, CA 94105
Telephone: (415) 659-5651
11 Fax: (415) 391-8269
E-mail: tmoore@reedsmith.com
12 *Attorney for Plaintiff Daniel Cisneros*

13 GERALD SINGLETON, State Bar No. 208783
BRODY A. MCBRIDE, State Bar No. 270852
14 Singleton Law Firm
115 W. Plaza Street
15 Solana Beach, CA 92075-1123
Telephone: (760) 697-1330
16 Fax: (760) 697-1329
E-mail: brody@slffirm.com
17 *Attorneys for Plaintiff Daniel Manriquez*

18
19 IN THE UNITED STATES DISTRICT COURT
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA
21

22 **DANIEL CISNEROS,**

23 Plaintiff,

24 v.

25 **J. VANGILDER, et al.,**

26 Defendants.
27
28

Case No. 16-cv-00735 HSG

**STIPULATED CASE SCHEDULE;
[PROPOSED] ORDER**

Judge: Hon. Haywood S. Gilliam, Jr.
Courtroom: 2
Trial Date: Nov. 12, 2018

DANIEL MANRIQUEZ,

Plaintiff,

v.

J. VANGILDER, et al.,

Defendants.

Case No. 16-cv-01320 HSG

At the November 14, 2017 joint case management conference, the Court ordered counsel for Plaintiffs Daniel Manriquez and Daniel Cisneros and counsel for Defendants S. Cupp, J. Cuske, D. Melton, K. Ohland, J. Vangilder, and J. Vasquez (“the Parties”) to prepare a proposed schedule for further proceedings in these related actions. In compliance with the Court’s order, and pursuant to the Court’s stated preference to schedule the trial in this case on November 12, 2018, the Parties propose the following case schedule for the Court’s approval.¹

- All amended pleadings and/or motions to amend shall be filed no later than December 1, 2017;
- The Parties shall exchange initial disclosures by January 2, 2018;
- At the end of the initial-disclosure period, the Parties shall have until May 22, 2018, to conduct all necessary non-expert discovery. To expedite discovery, the Court grants the Parties leave to conduct the dispositions of incarcerated witnesses without further order by this Court;
- Expert discovery shall begin on May 22, 2018. Any expert designations and reports are due that date;
- Expert discovery will close on June 22, 2018;
- The discovery cut-off will coincide with the close of expert discovery;

¹ The Parties note that this is an ambitious schedule, particularly as it pertains to expert discovery. In allowing only 30 days for expert discovery (which includes initial and rebuttal expert disclosures and reports, and expert depositions), there is a significant chance that circumstances will arise that prevent the Parties from completing expert discovery before the cutoff. The Parties will make every endeavor to work together diligently and amicably to meet all dates in this schedule, including the expert discovery dates. However, if despite the Parties’ diligent efforts, they are unable to meet these dates, they will move the Court to modify this schedule as appropriate.

- By June 25, 2018, the Parties will advise the Court if consolidation of these actions for purposes of trial is desired and if not, an explanation of the reasons why these two actions should not be consolidated for trial purposes;
- The Parties shall have until and including July 23, 2018, to move for summary judgment;
- The joint pretrial conference for both of these matters shall be set for October 30, 2018, unless the Court is persuaded that these actions cannot be tried together;
- The consolidated trial of these two actions is set to begin on November 12, 2018, unless the Court is persuaded that these actions cannot be tried together.

//

//

1 The Parties are agreed as to the above schedule and respectfully request that Court adopt
2 the schedule for purposes of these two cases.

3 Dated: November 28, 2017

Respectfully submitted,

4 XAVIER BECERRA
5 Attorney General of California
6 KYLE A. LEWIS
Acting Supervising Deputy Attorney General

7
8 /s/ IAN MICHAEL ELLIS
IAN MICHAEL ELLIS
Deputy Attorney General
Attorneys for Defendants
S. Cupp, J. Cuske, D. Melton,
K. Ohland, J. Vangilder,
and J. Vasquez

12 Dated: November 28, 2017

/s/ TIMOTHY L. MOORE
Timothy Lewis Moore
Reed Smith, LLP
Attorney for Plaintiff Daniel Cisneros

15 Dated: November 28, 2017


/s/ BRODY A. MCBRIDE
Brody A. McBride
Singleton Law Firm
Attorneys for Plaintiff Daniel Manriquez

18
19
20 **~~PROPOSED~~ ORDER**

21 The Court has reviewed the parties' proposed case schedule and approves it.

22 IT IS SO ORDERED except the trial will begin on Tuesday, November 13, 2018 and
23 August 30, 2018 is the last day to hear dispositive motions.

24 Date: 11/29/2017

25 
The Hon. Haywood S. Gilliam, Jr., District Judge

26 SF2016401088; SF2016400816
27 21048002.docx
28